

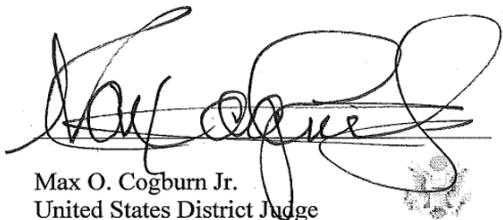
**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09cv488**

EVANGELINA SMITH,)	
)	
Plaintiff,)	
)	
Vs.)	JUDGMENT
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

THIS MATTER having come before the court on the plaintiff's Motion for Judgment on the Pleadings (#11), the Commissioner's Motion for Summary Judgment (#12), and the Memorandum and Recommendation of Honorable David S. Cayer, United States Magistrate Judge (#14), and the court having considered plaintiff's Objections (#16) and the Commissioner's Response (#17), as more thoroughly discussed in the Memorandum of Decision and Order filed simultaneously herewith,

IT IS, THEREFORE, ORDERED, ADJUDGE AND DECREED that the Commissioner's Motion for Summary Judgment (#12) is **GRANTED**, plaintiff's Motion for Judgment on the Pleadings (#11) is **DENIED**, the Commissioner's decision is **AFFIRMED**, and plaintiff's claim is hereby **DISMISSED**.

Signed: March 31, 2011



Max O. Cogburn Jr.
United States District Judge